

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-36 are currently pending in this application. Claims 1, 12, and 25 have been amended.

35 U.S.C. §103 Rejections

The rejection of claims 1, 2, 4, 6, 7, 12, 25, 26 and 29-33 under 35 U.S.C. § 103(a) as being as being unpatentable over Takagi, (U.S. Patent No. 5,510,957, hereinafter “Takagi”).

Regarding the independent claims 1, 12, and 25, Takagi fails to disclose as recited in claim1: “wherein the integrated optical drive bezel is configured such that removal of the cosmetic bezel will also remove the functional bezel which is attached to the cosmetic bezel.”

The Examiner submits that “item 13 can have been integrated by items 17 and 20 of item 12 prior to permanently attaching item 12 to the disc drive [11]”. The applicant respectfully disagrees. Item 20 is a “temporary retaining mechanism” [column 5, lines 25-27], designed for temporarily restraining item 13. Item 20, therefore, cannot permanently restrain item 13 to form an integrated assembly, such that the removal of one item would also remove the other. The applicant maintains that because Takagi teaches a control unit that is directed at temporarily restraining one of its members, it teaches away from the presently claimed invention. Takagi teaches the opposite of the claimed feature because the cosmetic bezel disclosed therein is separately removeable from the functional bezel.

The Examiner further argues that it would have been obvious to one of ordinary skill in the art at the time of the invention to attach items 17 and 20 together prior to attaching the items to the disc drive. The Examiner believes that such process would yield a product that is the same as the product disclosed by the presently claimed invention. The applicant respectfully disagrees. Different from the prior art, one benefit of an integrated optical drive is that it eliminates or minimizes misalignment (paragraph [0017]), and this benefit is derived from the fact that the functional bezel is integrated with the cosmetic bezel to form an integrated optical drive bezel. Even if one were to attach items 17 and 20 in the manner the Examiner suggests, the process would still yield a product with a detachable control unit. Therefore, because the Takagi disclosure teaches a different product than the presently claimed invention, the applicant respectfully requests the Examiner to withdraw the rejection of claims 1 and 25.

Claims 2, 4, 6, 7, 26, 29, and 30- 33 depend, directly or indirectly, from independent claims 1, 12, and 25, the examiner raised further objections based on the same prior art. However, because the cited art fails to recite the limitation recited by the independent claims, as explained above, these dependent claims are not anticipated by the cited art.

In light of the foregoing arguments applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. § 103(a).

The rejection of claims 3, 9, 11, 13-20, 22, 24, 27 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Takagi in view of Kan-o (U.S. Patent No. 6,910,217, hereinafter “Kan-o”).

Regarding claims 3, 9, 11, 13-20, 22, 24, 27 and 28, the examiner raised additional objection that the claims are obvious in view of Kan-o. Claims 3, 9 and 11

depend, directly or indirectly, from independent claim 1; claims 13-20, 22, and 24 depend, directly or indirectly, from independent claim 12; and claim 28 depends indirectly from independent claim 25. As explained before, because Takagi fails to disclose and teaches away from the integrated feature as recited by independent claims 1, 12, and 25 of the presently claimed invention, and because Kan-O also fails to disclose this integrated feature, the disclosure of Takagi cannot be combined with the disclosure of in Kan-o to render the presently claimed invention obvious.

In light of the foregoing arguments applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. § 103(a).

The rejection of claims 5, 8 and 34 have been rejected under 35 U.S.C. § 103(a) under Takagi in view of Selby, et al., (U.S. Patent No. 5,793,728, hereinafter “Selby”).

Claim 5 depends directly from claim 1. As explained above, the Takagi disclosure teaches away from the presently claimed invention, and hence, the disclosure in Takagi cannot be combined with a secondary reference to render the presently claimed invention obvious. Further, Takagi fails to disclose the integrated feature recited by claim 1, and Selby also fails to disclose this feature, and hence, the combined disclosure of Takagi and Selby fails to recite all the features recited in claims 5, 8, and 34.

Regarding claims 8 and 34, the Examiner raised the additional objection that the ramp disclosed in the claims is obvious in view of Takagi and Selby. Selby discloses a disk guide that can only be used to “block the insertion of a CD disc...so that a CD disc cannot be inserted between the CD player and top cover to which the player is attached” (column 1, line 66 to column 2, line 5) (emphasis added). In contrast, claims 8 and 34 recite a disk guide to “point the optical disk up during ejection.” (See [0021]). Therefore,

because Selby fails to recite a disk guide that can be use to align disks during ejection, the claims are not obvious over Takagi in view of Selby.

In light of the foregoing arguments applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. § 103(a).

The rejection of claims 10, 35 and 36 have been rejected under 35 U.S.C. § 103(a) over Takagi in view of Sugita, et al. (U.S. Patent No. 6,931,649, hereinafter “Sugita”).

The Examiner submits that items 11 in figure 3 and 19 in figure 4 are equivalent to the “first” and “second” openings as recited in the claims. The Examiner holds the position that Sugita discloses an electronic device wherein the second opening is bigger than the first opening. (11 is larger than 19). The applicant respectfully submits that Sugita discloses two sets of openings that are identical in size, wherein both are “along a direction of width of the CD changer 2” (column 6, lines 61-62; column 6, lines 29-30.) Therefore, the applicant respectfully believes that Sugita fails to recite the limitation wherein the second set of opening is bigger than the first set.

Claim 21 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takagi and Kan-o, as applied to claim 14 above, and further in view of Selby, et al. As explained above, the rejection of the claim is improper because neither the Takagi disclosure nor the Kan-o disclosure recites a disc guide that is configured to guide the disc up during ejection. The addition of the Selby disclosure does not cure this deficiency because the Selby disclosure also fails to disclose a disc guide that is configured to guide the optical disc up during ejection.

In light of the foregoing arguments applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. § 103(a).

Claim 23 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takagi and Kan-o, as applied to claim 14 above, and further in view of Sugita et al.

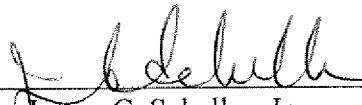
As explained above, the Sugita disclosure fails to disclose two openings, wherein the second is bigger than the first. Therefore, the rejection is improper because the combination of the Takagi and Kan-o disclosures, in view of the Sugita disclosure, does not recite the limitation cited by current claim. In light of the foregoing arguments applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. § 103(a).

Applicants respectfully submit that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned at (408) 720-8300.

Please charge any shortages and credit any overages to Deposit Account No. 022666. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 022666.

Respectfully submitted,
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